

UNITED STATES DISTRICT COURT
DISTRICT OF RHODE ISLAND

THE ESTATE OF YARON UNGAR, et al.

vs.

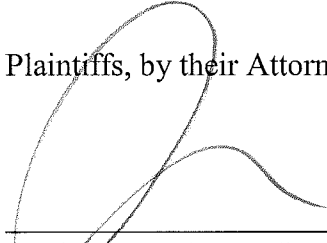
C.A. No. 00 - 105L

THE PALESTINIAN AUTHORITY, et al.

**PLAINTIFFS' MOTION FOR ISSUANCE OF LETTER OF REQUEST FOR JUDICIAL
ASSISTANCE PURSUANT TO THE HAGUE CONVENTION OF 18 MARCH 1970 ON
THE TAKING OF EVIDENCE ABROAD IN CIVIL OR COMMERCIAL MATTERS**

For the reasons enumerated in the accompanying Memorandum, plaintiffs hereby move the Court to issue the attached Letter of Request for Judicial Assistance, to obtain information from the government of the United Kingdom regarding the frozen assets of defendant HAMAS.

Plaintiffs, by their Attorney,



David J. Strachman #4404
McIntyre, Tate, Lynch & Holt
321 South Main Street, Suite 400
Providence, RI 02903
(401) 351-7700
(401) 331-6095 (fax)

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CERTIFICATION

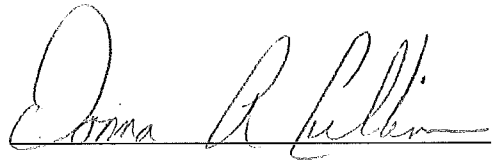
I hereby certify that on the 26 day of January, 2004 I mailed a true copy of the within along with memorandum and letter of request to:

Ramsey Clark
Lawrence W. Schilling
36 East 12th Street
New York, NY 10003

Deming E. Sherman
Annemarie M. Carney
EDWARDS & ANGELL, LLP
2800 Bank Boston Plaza
Providence, RI 02903

HAMAS – Islamic Resistance Movement
Harakat Al-Muqawama Al-Islamiyya
c/o Sheik Ahmed Yassin
Sabra District
Gaza, Palestinian Authority
VIA Israel

HAMAS – Islamic Resistance Movement
Harakat Al-Muqawama Al-Islamiyya
Yarmouk Refugee Camp
Damascus
Syria



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C.A. No. 00 - 105L

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**MEMORANDUM IN SUPPORT OF PLAINTIFFS' MOTION FOR ISSUANCE OF
A LETTER OF REQUEST FOR JUDICIAL ASSISTANCE**

On June 13, 2002, the Court referred plaintiffs' Motion to Enter Default Judgment against defendant HAMAS to Magistrate Judge David L. Martin for findings and recommended disposition pursuant to 28 U.S.C. §636(b)(1)(B) and D.R.I. Local R. 32(a).

On July 3, 2003, Magistrate Judge Martin issued a Report and Recommendation that default judgment against HAMAS be granted. The statutory period provided by Fed.R.Civ.P. 72(b) and Local Rule 32(c)(2) for filing an appeal or objection to the Report and Recommendation elapsed on July 22, 2003, and no appeal or objection was filed.

The Court previously indicated to plaintiffs that it intended to adopt Magistrate Judge Martin's Report and Recommendation, subject to determination of the proper rate of pre-judgment interest, and to enter judgment against HAMAS.

As detailed in plaintiffs' Motion for Entry of Final Judgment Against Hamas Pursuant to Fed.R.Civ.P. 54(b), the limited pool of HAMAS assets in the United States against which plaintiffs can execute their judgment is being steadily depleted, and may soon be completely exhausted.

Plaintiffs therefore intend to attempt the difficult task of enforcing their judgment against HAMAS by executing against financial assets belonging to HAMAS that have been frozen or blocked by U.S. allies abroad.

On September 15 2003, the United Kingdom blocked all HAMAS financial assets within its jurisdiction. Exhibit "A."

As a preparatory step toward assisting plaintiffs to execute their judgment against HAMAS on these frozen HAMAS assets in the United Kingdom, plaintiffs respectfully request that the Court issue the attached Letter of Request pursuant to the Hague Convention of 18 March 1970 on the Taking of Evidence Abroad in Civil or Commercial Matters ("Hague Convention").

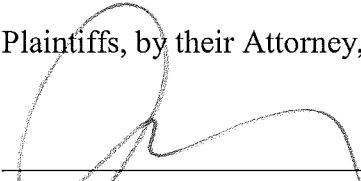
Plaintiffs request that the Court instruct the Clerk of the Court to transmit the Letter of Request at plaintiffs' expense to the Central Authority designated by the United Kingdom for the receipt of such requests pursuant to Article 2 of the Hague Convention, which is:

Foreign and Commonwealth Office
King Charles Street
London SW1A 2AH
United Kingdom

Plaintiffs will pay all costs incurred in executing the Letter of Request.

WHEREFORE, plaintiffs request that this Court issue the Letter of Request in the form attached hereto.

Plaintiffs, by their Attorney,



David J. Strachman #4404
McIntyre, Tate, Lynch & Holt
321 South Main Street, Suite 400
Providence, RI 02903
(401) 351-7700
(401) 331-6095 (fax)

CERTIFICATION

I hereby certify that on the 36 day of January, 2004 I mailed a true copy of the within to:

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Lawrence W. Schilling
36 East 12th Street
New York, NY 10003

Deming E. Sherman
Annemarie M. Carney
EDWARDS & ANGELL, LLP
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